

Serial No.: 10/550,856

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below with sufficient postage as first class mail in an envelope addressed to: United States Patent and Trademark Office, Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 7/5/06

Sig.: Marjorie Scariati  
Marjorie Scariati

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Stephan Ludwig et al.

U.S. Appln No.: 10/550,856

Int'l Filing Date: 03/24/2004

Int'l Appln No.: PCT/DE04/00646

For: CASPASE INHIBITORS, ESPECIALLY CASPASE 3 INHIBITORS, FOR THE TREATMENT OF INFLUENZA

Examiner: Unassigned

Group Art Unit: Unassigned

Confirmation No.: 6403

Docket No. : 7003/45

Commissioner for Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

SIR:

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the Notification of Missing Requirements mailed 5/04/06, copy enclosed, filed herewith is an accurate literal translation of the application into English, as well as a Preliminary Amendment to the specification, claims and abstract. It is

respectfully requested that the amended English translation be used as the copy for examination purposes in the Patent Office.

Also filed herewith is an executed Declaration in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date, as well as an executed Power of Attorney and Statement Under 37 CFR 3.73(b), including a copy of the Assignment to Institut Für Aerosolmedizin Inamed GmbH .

**FEES**

It is noted that the fees for late filing of the Declaration and English translation were paid on filing on September 26, 2005, and so it is not believed that any additional fees are due as a result of this Response. However, the Commissioner is hereby authorized to charge any fees that may be due to the undersigned attorney's PTO Deposit Account No. 50-1047.

Respectfully submitted:

by   
Keum J. Park Reg. No. 42,059  
Mayer & Williams, PC  
251 North Avenue West  
Westfield, NJ 07090

Date July 5, 2006  
Tel.: 908-518-7700  
Fax: 908-518-7795



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/550,856	Stefan Ludwig	7003/45

RECEIVED

MAY 08 2006

27774  
 MAYER & WILLIAMS PC  
 251 NORTH AVENUE WEST  
 2ND FLOOR  
 WESTFIELD, NJ 07090

MAYER, FORTKORT  
 & WILLIAMS, LLC

INTERNATIONAL APPLICATION NO.

PCT/DE04/00646

I.A. FILING DATE

03/24/2004

PRIORITY DATE

03/26/2003

CONFIRMATION NO. 6403  
 371 FORMALITIES LETTER



\*OC000000018686717\*

Date Mailed: 05/04/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/26/2005
- Copy of the International Search Report filed on 09/26/2005
- U.S. Basic National Fees filed on 09/26/2005
- Priority Documents filed on 09/26/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

---

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

---

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/550,856	PCT/DE04/00646	7003/45

FORM PCT/DO/EO/905 (371 Formalities Notice)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Commissioner for Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450  
on the following date:

Sig: Marjorie Scariati Date: 7/5/06  
Marjorie Scariati

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Stephan Ludwig et al.

U.S. Appln No.: 10/550,856

Int'l Filing Date: 03/24/2004

Int'l Appln No.: PCT/DE04/00646

For: CASPASE INHIBITORS, ESPECIALLY CASPASE 3 INHIBITORS, FOR THE  
TREATMENT OF INFLUENZA

Examiner: Unassigned

Group Art Unit: Unassigned

Confirmation No.: 6403

Docket No. : 7003/45

Commissioner for Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

**LETTER REGARDING SUBMISSION OF ENGLISH TRANSLATION**

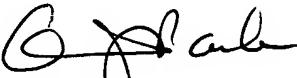
Per the requirements of 37 CFR 1.52(d), filed herewith is a translation of the  
originally filed German language application into English and accompanying preliminary  
amendment. The English translation was provided to the undersigned attorney by the  
Applicant's German attorney, Bernhard Jungblut, who prepared and filed the German

priority application, and is accurate to the best of the undersigned attorney's knowledge and belief. The preliminary amendment includes no new matter, and is filed only to correct grammatical errors and to make the specification and claims conform to U.S. practice. As the application was previously filed in German, a clean copy of the English translation is enclosed, as well as a preliminary amendment indicating the changes made to the English translation. It is respectfully requested that the amended English translation be used as the copy for examination purposes in the Patent Office.

**FEES**

While it is not believed that any fees are due relative to the filing of the English translation, the Commissioner is hereby authorized to charge any fees that may be due to the undersigned attorney's PTO Deposit Account No. 50-1047 accordingly.

Respectfully submitted:

by   
Keum J. Park Reg. No. 42,059  
Mayer & Williams, PC  
251 North Avenue West  
Westfield, NJ 07090

Date July 5, 2006  
Tel.: 908-518-7700  
Fax: 908-518-7795